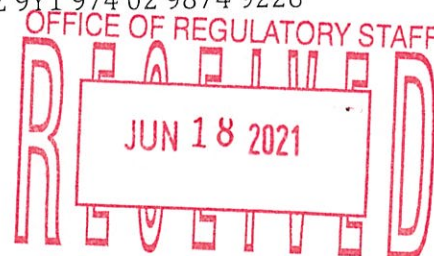


# Briar's Creek Holdings, LLC

June 16, 2021

UPS Tracking 1Z 9Y1 974 02 9874 9226

Brenda Green  
Wastewater Permit Section  
South Carolina Department of Health and Environmental Control  
2600 Bull Street  
Columbia, SC 29201



Reference: Ownership Transfer Land Application Discharge Permit No. ND0080977

Ms. Green:

On April 7, 2020, Briar's Creek Holdings, LLC (Briar's Creek) notified the SC Department of Health and Environmental Control of Briar's Creek Holdings, LLC (Holdings) intent to transfer ownership of the above referenced Land Application Discharge Permit No. ND0080977 to The Golf Club at Briar's Creek Property Owners Association (POA). On June 10, 2021, the sale of the wastewater treatment facility subject to Permit No. ND0080977 was sold to the POA and the ownership transfer of the asset is complete.

On behalf of the POA, Holdings request that SC DHEC transfer Permit No. 0080977 to the POA. The new permit holder should be:

The Golf Club at Briar's Creek Property Owners Association, Inc.  
C/O Sentry Management  
4925 Lacross Rd #12  
North Charleston, SC 29406  
Phone - 843-795-0190  
President of POA - Robert J. Licato

The following attachments are provided to substantiate the transfer of ownership and meet the viability requirements provided by SC DHEC's "subject to" viability approval of November 6, 2020.

- Quitclaim Deed and Recorder's Receipt evidencing the deed transfer and filed with the Charleston County ROD on June 11, 2021
- Assignment of Licenses and Permits, June 10, 2021, assigning the Land Application permit to the POA
- Confirmation of wired and received funds from Holdings to the POA in the amount of \$125,754.00 to meet viability requirements.

Briar's Creek Holdings, LLC and the POA would appreciate the permit transfer be effective June 10, 2021 which is the effective date of the Assignment.

Please contact me ((713-336-7903) at your earliest convenience should you have any questions or require additional information.

Sincerely

A handwritten signature in blue ink, appearing to read "Nathan K. Plagens", written over a horizontal line.

Nathan K. Plagens  
Director of Projects

cc: K. Maurer, SC ORS  
S. Siddiqui, SC DHEC  
J. Bunting, Sentry Management  
B. Licato, BC Holdings

Attachments

# COPY

June 11, 2021 1:49  
 B 1001 P 897

This Document Prepared By and  
 After Recorded Return to:  
*No Title Examination Performed*  
*K&L Gates LLP*  
*134 Meeting Street, Suite 500*  
*Charleston, SC 29401*  
*Attn: Matthew J. Norton*

STATE OF SOUTH CAROLINA    )  
   )  
 COUNTY OF CHARLESTON        )                   QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that BRIAR'S CREEK HOLDINGS, LLC, a Delaware limited liability company ("Grantor"), in consideration of One Dollar and No/100 (\$1.00) and no other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has remised, released and forever quitclaimed, and by these presents does remise, release and forever quitclaim, unto THE GOLF CLUB AT BRIAR'S CREEK PROPERTY OWNERS ASSOCIATION, INC., a South Carolina non-profit corporation, ("Grantee"), all of Grantor's right, title and interest in and to the following described property ("Property"), to wit:

SEE EXHIBIT A ATTACHED HERETO  
 AND INCORPORATED HEREIN BY REFERENCE FOR  
 LEGAL DESCRIPTION OF PROPERTY

Address of Grantee:                   4000 Briar's Creek Lane  
   Johns Island, SC 29455-7315

TOGETHER WITH, all and singular, the rights, members, hereditaments and appurtenances to the premises belonging or in any way incident or appertaining, including but not limited to, all improvements of any nature located on the premises and all easements and rights-of-way appurtenant thereto.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the said Grantee, its successors and assigns, forever.

[SIGNATURES ON FOLLOWING PAGE]

WITNESS our Hands and Seals this 7<sup>th</sup> day of June, 2021.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

BRIAR'S CREEK HOLDINGS, LLC,  
a Delaware limited liability company

[Signature]  
Witness #

By: RCM RECREATIONAL PROPERTIES LLC.  
a Texas limited liability company  
Title: Manager

[Signature]  
Witness #2

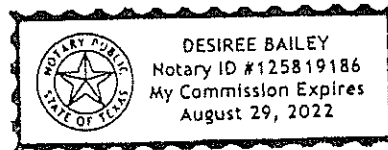
By: [Signature]  
Name: Robert J. Licato  
Title: Vice President

STATE OF Texas )  
 )  
COUNTY OF Harris )

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of June, 2021 by Robert Licato, Vice President of RCM RECREATIONAL PROPERTIES, LLC, Manager of BRIAR'S CREEK HOLDINGS, LLC, a Delaware limited liability company, on behalf of the limited liability company.

Desiree Bailey (SEAL)  
Notary Public for Texas  
Print Name: Desiree Bailey  
My commission expires: August 29, 2022



(Signature Page to Quitclaim Deed)

**EXHIBIT A****Legal Description of Property**

All those certain pieces, parcels or tracts of land situate in the State of South Carolina, County of Charleston, and being known and designated as (i) "Tract B-A1" containing 6.64 acres; and (ii) "Tract B-A2" containing 15.00 acres, each as shown on that certain plat prepared by Thomas & Hutton Engineering & Surveying dated November 16, 2016 and recorded in the Office of the Register of Deeds for Charleston County, SC in Plat Book L17, at Pages 0085 through 0092, and also generally depicted on that certain Exhibit of Briar's Creek Golf Club Wastewater Treatment Plant prepared by Thomas & Hutton dated July 30, 2020 and attached hereto as Exhibit B.

This conveyance is made subject to the reservation by the Grantor, its successors and assigns, of (a) a non-exclusive, permanent appurtenant right and easement over, across, under and upon those portions of Tract B-A1 labeled "New 25' Ingress/Egress Easement" for purposes of ingress and egress in any manner, shape or form and by any mode of transportation from Blackground Road to Tract B shown on the attached Exhibit B; and (b) a non-exclusive, permanent appurtenant right and easement over, across, under and upon Tract B-A1 for use as a burn field for the burning of tree, brush and other yard debris.

DERIVATION FOR INFORMATIONAL PURPOSES ONLY: These tracts being part of the same property conveyed to Briar's Creek Holdings, LLC by deed from Briar's Creek Golf, LLC dated May 15, 2015 and recorded May 15, 2015 in Book 0475, Page 958, Charleston County Register of Deeds.

TAX MAP NUMBERS FOR INFORMATIONAL PURPOSES ONLY:

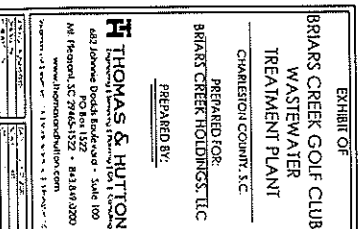
260-00-00-122

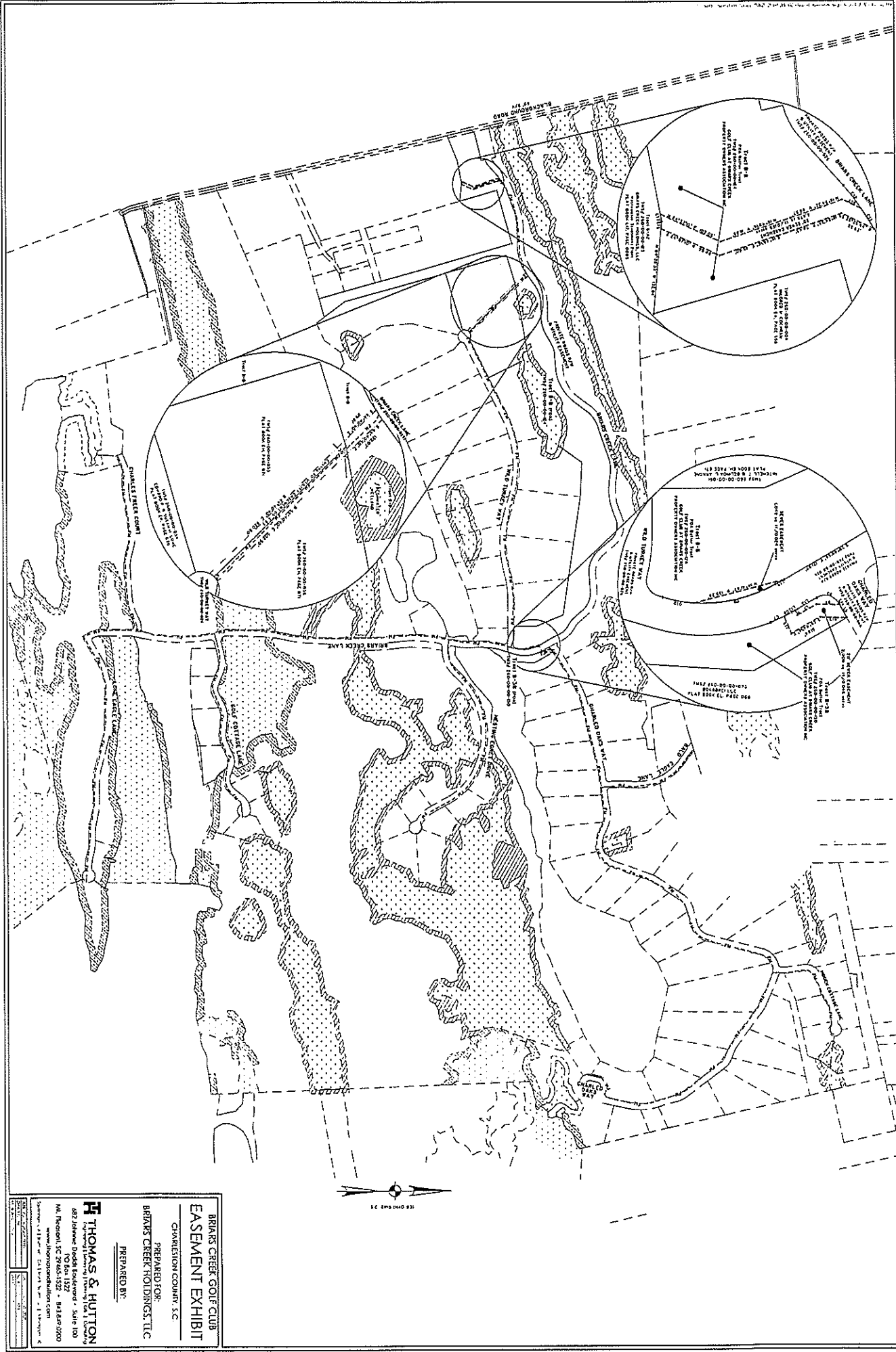
260-00-00-123

EXHIBIT B

Exhibit of Briar's Creek Golf Club Wastewater Treatment Plant

See attached.





**BRIARS CREEK GOLF CLUB  
EASEMENT EXHIBIT**

CHARLESTON COUNTY, S.C.

PREPARED FOR:  
**BRIARS CREEK HOLDINGS, LLC**

PREPARED BY:  
**THOMAS & HUTTON**  
6825 Avenue D, Charleston, SC 29405  
803.733.1127  
thomasandhutton.com





## ASSIGNMENT OF LICENSES AND PERMITS

THIS ASSIGNMENT OF LICENSES AND PERMITS (this "Assignment"), made as of the 10<sup>th</sup> day of June, 2021, by BRIAR'S CREEK HOLDINGS, LLC, a Delaware limited liability company ("Assignor"), and the GOLF CLUB AT BRIAR'S CREEK PROPERTY OWNERS ASSOCIATION, INC., a South Carolina nonprofit corporation ("Assignee").

### WITNESSETH:

WHEREAS, Assignor, as seller, and Assignee, as buyer, have entered into that certain Asset Purchase Agreement, dated as of June 10, 2021 (the "Agreement"), for the purchase and sale of, among other things, the Facility (as defined in the Agreement). Capitalized terms used but not otherwise defined herein shall have the meanings assigned thereto in the Agreement.

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) in hand paid to Assignor, the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Assignment. Assignor does hereby bargain, sell, transfer, assign and deliver unto Assignee, its successors and assigns all of Assignor's right, title and interest in, to and under the following insofar as they relate to the Facility: all Authorizations and Permits of or held by Assignor (to the extent transferrable to Assignee under applicable Law), including all Authorizations and Permits which are environmental permits, other operating permits and those items listed or described on Exhibit A hereto.

2. "AS-IS" Conveyance. The Authorizations and Permits are being conveyed "AS IS, WHERE IS" and without representation or warranty except as expressly set forth in the Agreement. Other than as stated in the Agreement, NO WARRANTIES OR REPRESENTATIONS, EITHER EXPRESSED OR IMPLIED, ARE MADE WITH RESPECT TO THE AUTHORIZATIONS AND PERMITS, INCLUDING, WITHOUT LIMITATION, ANY IMPLIED OR EXPRESS WARRANTY REGARDING FITNESS FOR A PARTICULAR PURPOSE OR MERCHANTABILITY.

3. Acceptance and Assumption. Assignee hereby accepts the foregoing grants and assignments of the Authorizations and Permits as set forth herein. As of the Effective Date, Assignee hereby assumes and agrees to fulfill, perform and discharge all the various liabilities, duties, covenants, obligations and agreements arising from and after the Effective Date under or with respect to any of the Authorizations and Permits.

4. Governing Law. This Assignment shall be construed under and enforced in accordance with the laws of the State of South Carolina, without regard to conflict of law principles.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the date first written above.


ASSIGNOR:

BRIAR'S CREEK HOLDINGS, LLC.

a Delaware limited liability company

By: RCM RECREATIONAL PROPERTIES LLC,  
a Texas limited liability company

Title: Manager

By:   
Name: Robert J. Licato  
Title: Vice President

ASSIGNEE:

GOLF CLUB AT BRIAR'S CREEK PROPERTY  
OWNERS ASSOCIATION, INC.,

a South Carolina non-profit corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

SIGNATURE PAGE TO ASSIGNMENT OF LICENSES AND PERMITS

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the date first written above.

**ASSIGNOR:**

**BRIAR'S CREEK HOLDINGS, LLC,**  
a Delaware limited liability company

By: RCM RECREATIONAL PROPERTIES LLC,  
a Texas limited liability company  
Title: Manager

By: \_\_\_\_\_  
Name: Robert J. Licato  
Title: Vice President

**ASSIGNEE:**

**GOLF CLUB AT BRIAR'S CREEK PROPERTY  
OWNERS ASSOCIATION, INC.,**  
a South Carolina non-profit corporation

By: Karen Sadik Khan  
Name: Karen Sadik Khan  
Title: Board Member

SIGNATURE PAGE TO ASSIGNMENT OF LICENSES AND PERMITS

EXHIBIT A  
AUTHORIZATIONS AND PERMITS

- NPDES/ND Land Application Discharge Permit No. ND0080977 Charleston County - Briar's Creek Golf Development WWTP (expires June 30, 2023)

6/8/2021

Payment Details

June 8 2021, 1:54:49 pm

## Originator Information

*BC Holdings Wire Confirmation*

ACH Company : Briars Creek

Company ID/Name : [REDACTED]

Offset Account : [REDACTED]

Effective Date : 06/09/2021

Batch Description : CORP PAY

Descriptive Date : WWTP

Comments : Transfer funds for the WWTP to POA

Action:	Corporate/ Vendor Name	Corporate/ Vendor ID	Corporate/ Vendor ABA	Corp/Vendor Bank Acct No.	Account Type	Amount	CC\	Prenoti	Hold	Status
	Briar's Creek Property Owners Assn		[REDACTED]	[REDACTED]	Checking	125,754.00	USD	No	No	Entered

## Audit History

## View Full Payment History

Entered on : 06/08/2021 02:53 PM

Org ID: [REDACTED]

User ID : [REDACTED]

User Name : [REDACTED]

Approved 1 on : 06/08/2021 02:54 PM

Company: [REDACTED]

User ID : [REDACTED]

User Name : [REDACTED]

6/8/2021

Payment Details

Status : Approved

Entry Method : Freeform

Prefunding Timestamp : 06/08/2021

Payment Summary

**125,754.00** USD to 1 Beneficiaries on 06/09/2021



*POH Funds Receipt Confirmation*

Sentry Internet

X Sentry Employees no limit

X

EWG Skin Deep® | Ratings for + X

Orientation Rollout | GoToStage X

MUFG Exchange

Orientation Rollout |

← C mutgexchange.unionbank.com/dashboard/navigation?appUrl=https%3F%2Fhoaservices.unionbank.com%3FauthBridge.aspx&amp;apid=SSS&amp;megaMenuCatId=SSS

Freedom Mortgage

Duke

Volusia Water

FedLoan

Sam's Club

Synchro

Auto-Owners

UB

CP

CP2

IBERIA

RVO

SunBiz

ADP



MUFG Exchange

## Receivables

Transactions for Account Number [REDACTED] (Business MoneyMarket, Analyzed)

Transactions From: 05/14/2021

Check Number:

Display: All Transactions

To: 06/14/2021

Amount: \$0.00

Filter

Print

Transaction Date	Check Number	Description	Amount
5/17/2021		UNION BANK IBTRANSERCCD ITC273155	\$8,750.00
5/17/2021		GOLF CLUB AT BRITNRF PPD *****1065	(\$3,341.39)
5/28/2021		INTEREST PAYMENT	\$50.65
6/3/2021		GOLF CLUB AT BRITNRF PPD *****1065	\$8,750.00
6/9/2021		BRIARS CREEK CORP PAY CCD	\$125,754.00
Current Account Balance:			\$139,963.26
			\$467,825.45